"That the Fourth Report of the Committee on Ethics presented to the Rajya Sabha on the 14th March, 2005, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: I shall now put the following Motion to vote:

"That this House agrees with the recommendations contained in the Fourth Report of the Committee on Ethics presented to the Rajya Sabha on the 14th March, 2005."

The motion was adopted.

GOVERNMENT BILLS

The Hire-Purchase (Repeal) Bill, 2005

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): Mr. Deputy Chairman, Sir, I beg to move:

"That the Bill to repeal the Hire-Purchase Act, 1972, be taken into consideration."

Sir, the Hire Purchase Act, 1972, seeks to define and regulate the rights and duties of the parties to hire-puchase agreements and provide for matters connected therewith. The legislation was undertaken to implement the recommendations of the Law Commission contained in its 20th Report. The development activities undertaken by organisation in small-scale industrial sector were mainly through the device of letting out machinery and implements through hire purchase, and as the provisions of the Act involved devising of new forms of hire purchase agreements, etc. it was decided to allow sufficient time for various organisations, trade and the public to realise the implications of the impact of legislation and make necessary adjustments in their affairs by the time the Act was brought in to force. Originally, it was intended that the Act be brought into force from 1st June, 1973. Several representations were received from the public against the bringing of Act into force. It was decided not to enforce the Act while the provisions of the Act were being examined for suitable amendments, so that there may not be any objections to bring the Act into force. The Banking Law Committee in its report on personal property, security law, 1977, proposed certain far reaching amendments to the Act. Certain representations were also received that urged that either a fresh legislation incorporating various recommendations of the above Committee

should be brought foward, or, alternatively, Act may be enforced only after making certain amendments. The Reserve Bank of India had also suggested that pending examination of the entire Report of the said Committee, the Hire Purchase Act should not be enforced.

Consequently, the Hire Purchase Act, 1972 had been re-examined, in consultation with the concerned organisation, and it was felt that the Act should be enforced only after moving the suitable amendments thereto. Some difficulties were pointed out in the enforcement of the Act. Accordingly, a Bill, namely, the Hire-Purchase (Amendment) Bill, 1989 was introduced in Rajya Sabha on 5th May, 1989. The said Bill was referred to the Department-relate Parliamentary Standing Committee on Home Affairs for examination and report. The said Committee recommended for an in-depth examination of the 1972 Act by the Law Commission of India. The Law Commission of India after examination recommended *inter alia* that the statutory hire-purchase charges shall be an amount calculated at the rate of 18 per cent per annum or if a lower rate is specified by the Central Government. As such, lower rate calculated in accordance with the mathematical formula be incorporated in the Act. The question whether the Hire-Purchase Act, 1972 should be brought into force with amendment, as reported by the Law Commission, was examined, in consultation with the Ministries and various Government Departments, and it was felt that the need for Hire-Purchase Act, 1972 has lost much of its relevance now. The exploitation of borrowers by charging exhorbitant interest can be adequately dealt with under the laws. In view thereof, such legislation is no more needed in the present economic scenario, and Act should be repealed. Sir, now-a-days, the banking facilities make it possible for the people who want a loan or enter into hire-purchase agreement on much cheaper arrangements.

So, Sir, with these words. I commend the Bill for consideration of this House.

MR. DEPUTY CHAIRMAN: The question is:

That the Bill to repeal the Hire-Purchase Act, 1972, be taken into consideration.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI HANSRAJ BHARDWAJ: Sir, I move:

That the Bill be passed.

The question was put and the motion was adopted.

Discussion on working of the Ministry of Water Resources

MR. DEPUTY CHAIRMAN: Now we take up the discussion on the working of the Ministry of Water Resources. Shri Keshubhai Patel.

श्री केशुभाई सवदास भाई पटेल (गुजरात): माननीय उपसभापति महोदय, इस सदन में वॉटर रिसोर्सिज़ के ऊपर मैं अपने विचार रखना चाहता हूं सबसे पहले मैं यह बात कहूंगा कि हमें आजादी मिली, हमने आयोजन शुरू किए। 1950 से हम शुरू करें तो आज करीब 55-56 साल बीत गए हैं और 55-56 सालों के बाद हम इस हिन्दुस्तान के या भारत के गांवों और शहरों की ओर अगर नज़र डालें तो क्या दृश्य हमें देखने को मिलता है? खास करके बड़े शहर हों या टाउन्स, जिनको हम नगर कहते हैं.. ऐसे नगर हों या बड़े शहर हों, ऊपर जब हम नज़र डालते हैं, तो वहां जनसंख्या की वृद्धि बड़ी तेज़ी से हो रही है। जनसंख्या में जो वृद्धि हो रही है, उसमें भी यदि गौर से देखा जाए तो गंदी बस्तियों और झोंपड़-पट्टीयों की संख्या तो शहर में और तेज़ी से बढ़ रही है। मैं बहुत दुख के साथ कहता हूं कि ये झोपड़-पट्टियां पहले नहीं थीं, अब बन गईं। ये गंदी बस्तियां पहले नहीं थीं, अब बन गईं। इनमें बसने वाले लोगों से जाकर यदि आप पूछें कि भाई, तुम यहां झोपड़-पट्टियों में कब से रह रहे हो, तो कोई कहेगा कि दो साल से हूं, कोई कहेगा कि पांच साल से हूं, कोई कहेगा कि आठ-दस साल से हूं कोई पुराना होगा तो पंद्रह-बीस साल की बात करेगा, कोई बहुत ही पुराना होगा तो पच्चीस-तीस साल से होगा। यानी करीब तीस साल से लेकर आज तक, इस बीच के काल में नगरों में और बड़े नगरों में बहुत तेज़ी से लोग बाहर से आए। कौन हैं वे लोग? कहां से आए हैं वे? वे हैं ग्रामों में बसने वाले लोग। वे क्या करते थे? वे खेत-मज़दूर थे, छोटे किसान थे या मार्जिनल किसान थे। वे क्यों आए यह सब छोड़कर, इन गंदी बस्तियों या इन झोंपड़-पट्टियों में रहने के लिए? क्योंकि वहां रोज़गार नहीं है। वे कहते हैं कि हम लोग खाएं कहां से? जब रोज़गार नहीं है तो खाने के लिए कुछ तो चाहिए। हम तो मेहनतकश लोग हैं। मेहनत करनी है तो फिर शहरों की ओर दौड़ते हैं। एक सर्वे ने बताया है कि गंदी बस्तियों में लोग कम आयु में मर जाते हैं, यानी कम से कम आयु किस क्षेत्र में है? तो वह शहरी क्षेत्र में नहीं है क्योंकि वहां अच्छा वातावरण नहीं हो सकता, ग्रामीण क्षेत्र में भी नहीं है, आदिवासी क्षेत्र में भी नहीं है। कम से कम आयु वाले हैं गंदी बस्तियों में। कितनी मजबूरी है, मर जाते हैं। कीचड़